

## MAKING A START

Former Secretary of Education Terrel H. Bell says his department's release of its second annual state-by-state analysis of educational resources and outcomes indicates the start of an "academic turnaround," but he warns that it is too early to claim an "academic recovery."

See Pages 10 and 12.

## TAKING A STAND

Distressed by a recent upsurge in shootings and violent criminal assaults involving school-age youths in Detroit, Mayor Coleman A. Young has announced tough new security measures that include strengthened security forces and unannounced searches of students.

See Page 9.

## SEEKING A RULING

As educators seek to implement the new Equal Access Act without acting counter to federal-court decisions, the Administration has asked the Supreme Court to reverse a lower-court ruling barring meetings by a student religious group in a Pennsylvania high school.

See Page 10.

# EDUCATION WEEK

American Education's Newspaper of Record

Volume IV, Number 16 · January 9, 1985

© 1985 Editorial Projects in Education

## CHANGING COURSE The Emerging Issues of School Reform

### Calif. Launches Ambitious Plan to Assess Schools

By Thomas Toch

Anxious to pay its taxpayers dividends for their billion-dollar investment in school reform and to focus educators' attention on academic subjects, California is launching a comprehensive plan to measure and publicize the performance of each of its 7,300 public schools.

Created by Bill Honig, the state's superintendent of public instruction, the state-wide "accountability program" will rank schools with students of similar socio-economic backgrounds in up to 42 different categories, ranging from the percentage of students given at least one writing assignment a week to the performance of graduates during their first year of college.

The program, described by Mr. Honig as

"unprecedented" in its scope, will include separate categories for high schools, junior high schools, and elementary schools.

#### 'Performance Reports'

The first of what will be annual "performance reports" are scheduled to be mailed to California schools this spring, at a cost of \$40,000. Most of the state's high schools have already received a preliminary report that marks their current standing state-wide and compares them with other schools in their classification. It also includes state-set targets for each standard over the next six years.

Elementary and junior high schools are scheduled to receive similar preliminary reports within the next few weeks. And this

Continued on Page 17



Bill Honig

### School-Malpractice Theory Rejected By N.Y. Court

Rulings Follow Trend  
Started in Mid-1970's

By Alina Tugend

New York State's highest court, ruling on two cases in which children were allegedly misdiagnosed as retarded, last month rejected in one case the concept of "educational malpractice" as legal grounds on which to redress such plaintiffs' grievances against public agencies.

In the other case, however, it found that the misdiagnosis by a public institution of a deaf boy as retarded constituted "medical malpractice."

Since the first widely publicized case in which a claim of educational malpractice was made—a 1976 California suit brought by a high-school graduate who charged he was illiterate—state courts, including New York's, have continued to turn away the idea that any ill effects of education can be defined to be the result of "malpractice" by educators.

Continued on Page 14

### Governors Warned School Reform May be a Two-Edged Sword

By Thomas Toch

A cadre of the nation's governors has devoted an unprecedented amount of time and energy to promoting improvements in public education in recent years. But by becoming highly visible advocates of reform, they have also become obvious targets of the criticism that will emerge if evidence of improvements in the classroom is not forthcoming.

So reasons the author of a paper commissioned for the 50 governors and their senior advisors by the Council of State Planning

Agencies, a membership organization of gubernatorial aides that is affiliated with the National Governors Association.

Jack A. Brizius, who directed policy-research activities at the N.G.A. for several years, cautions in a draft of his paper on the education issues ahead for governors that if they are not prepared for changes in the political climate, their greatly expanded advocacy of reform in education could hurt them politically.

A combination of factors—including the desire of the Reagan Administration to relinquish much of its policymaking authori-

ty in education to the states, the popularity of school reform as a political issue, and the emergence of education as a key element in state plans to revitalize their economies—has contributed to the emergence of the so-called "education governors."

Other observers of the reform movement have suggested that if the governors' credibility were damaged, or if they diminished their role in the reform movement in an effort to deflect criticism elsewhere, school reformers might lose some of their strongest allies.

Continued on Page 11

### Bell's Replacement 'On Hold'; Budget Nears Completion

By James Hertling

WASHINGTON—President Reagan is unlikely to name a new secretary of education until after he gives final approval to the department's proposed fiscal 1986 budget, Administration and Congressional sources said last week.

Administration officials said they expect to complete work this week on education-spending proposals that would slash aid for postsecondary students but maintain current funding levels in most elementary and secondary-education programs for the year that begins next Oct. 1. The President will send his budget to the Congress late this month or early next month.

Mr. Reagan has discussed with his aides several possible successors to former Education Secretary Terrel H. Bell but has given no indication of when a new secretary will be appointed, said Marlin Fitzwater, a White House spokesman. "It could happen at any minute; it could happen in a few

Continued on Page 17

### Merit-Pay Schemes Rejected as 'Panaceas' for Schools' Woes

By Cindy Currence

Based on the poor track record of merit-pay and career-ladder plans, authors of a report released this week have concluded that such plans are ineffective and simplistic approaches to the complex problems of public education.

The report, prepared by the Association for Supervision and Curriculum Development for its 63,000 members, cautions educators against looking at merit pay as a "panacea" to the problems of public education.

"To propose a system that has established such an abysmal record of failure, a proponent must be totally ignorant of its past, hopelessly optimistic about its future, or innovative enough in the present to avoid the pratfalls of previous programs," write the authors of the report, "Incentives for Excellence in America's Schools."

The report was produced by a task force that included representatives from higher education, the National Education Association, the American Federation of Teachers, and the A.S.C.D.

Merit-pay programs may work well as

part of a solution, the report states, but must be placed in the broader context of "human-resource development."

"Comprehensive changes that promote effective management of schools and professional growth of teachers will prove more likely to positively influence teaching performance than any merit-pay programs that might succeed," the report states.

According to Gordon Cawelti, executive director of the A.S.C.D., the report is "in keeping" with several current studies of successful corporations in the private sector.

Continued on Page 16

## IN SUMMARY

### Asbestos Suits

New York City and the District of Columbia join a growing number of cities in filing multimillion-dollar suits against asbestos companies to recoup the costs of removing asbestos from schools. **Story on Page 6.**

### An Exhortation on Reform

A national consortium of 32 school superintendents has called on the nation's education leaders to get on with the business of school reform before public interest in the issue lags. **Story on Page 6.**

### Proposals in Michigan

A gubernatorial task force in Michigan has presented Governor Blanchard with a set of recommendations for immediate improvements rather than long-range planning. **Story on Page 8.**

### Legislating in Pennsylvania

Despite union opposition, Governor Thornburgh has vetoed a bill that would have eliminated a new continuing-education requirement for future teachers. **Story on Page 8.**

### Settlement in Chicago

Chicago teachers agreed to a 4.5-percent pay increase for school employees, part of a settlement with the school board that brought to an end the district's two-week strike. **Story on Page 8.**

### Humanities Grants

The National Endowment for the Humanities has announced the first grant recipients in its \$2-million initiative to improve the quality of teacher preparation in the humanities. **Story on Page 10.**

### Child Care and the Schools

A Maine task force has recommended that public schools play a more active role in the provision of child care, by offering space and transportation for such programs. **Story on Page 16.**

|                 |    |                  |    |
|-----------------|----|------------------|----|
| Commentary..... | 24 | Letters.....     | 18 |
|                 |    | Marketplace..... | 19 |

EDUCATION WEEK (ISSN 0277-4232) is published 42 times per year (weekly except for the first week in January, the last week in June, the month of July, the first two weeks in August, and the last two weeks in December) by Editorial Projects in Education, Incorporated. Editorial and advertising sales offices are located at 1255 23rd Street, N.W., Suite 775, Washington, D.C. 20037. (202) 466-5190. Subscriptions: U.S. and Canada: \$39.94 for 42 issues. Foreign: \$85.94 (airmail) and \$56.44 (surface mail) for 42 issues. Second-class postage paid at Washington, D.C., and at additional mailing offices. **POSTMASTER:** Send address changes to EDUCATION WEEK, P.O. Box 1939, Marion, Ohio 43305. Volume IV, Issue 16.

Main Editorial and Business Offices  
Suite 775, 1255 23rd Street, N.W.  
Washington, D.C. 20037  
(202) 466-5190

For New Subscriptions,  
Subscription Problems,  
and Changes of Address  
Write to:  
Education Week  
Post Office Box 1939  
Marion, Ohio 43305

#### EDITOR

Ronald A. Wolk

#### EXECUTIVE EDITOR

Martha K. Matzke

#### ASSOCIATE EDITORS

M. Sandra Reeves, Thomas Toch

#### ASSISTANT EDITORS

Anne Bridgman, Cindy Currence, Tom Mirga

#### STAFF WRITERS

Linda Chion-Kenney, James Hertling,  
Lynn Olson, Sheppard Ransom,  
Blake Rodman, Alina Tugend

#### MIDWESTERN BUREAU

Peggy Caldwell

#### Midwestern Editorial Office

Cleveland, Ohio

#### COMMENTARY EDITOR

Jane Freundel Levey

#### EVENTS EDITOR & COPY EDITOR

Tricia Furniss

#### ART DIRECTOR

Beth L. Schlenoff

#### PRODUCTION/SYSTEMS MANAGER

Martha Swain

#### EDITORIAL ASSISTANT

Pamela Winston

#### FULFILLMENT MANAGER

Carolyn Winston

#### MARKETING ASSISTANT

Janice Lopez

#### CIRCULATION ASSISTANT

Sandy Garthwaite

#### ADMINISTRATIVE ASSISTANT

Joanne Tarr

#### PUBLISHING CONSULTANT

Lawrence A. Durocher Jr.

OFFICE MANAGER/BOOKKEEPER  
Lorna Green

#### STUDENT INTERN

Pamela G. Pitt

#### DISPLAY ADVERTISING

East Coast and Midwest

#### Director

Leslie K. Hubbard

Suite 775

1255 23rd Street, N.W.

Washington, D.C. 20037

202 466-5190

#### ADVERTISING SALES

#### REPRESENTATIVE

West Coast, Oklahoma, and Texas

#### Joe Shere

1507 Bonnie Doone Terrace

Corona del Mar, Calif. 92625

714 640-5689

Display Advertising Only

Grants to help establish *Education Week* have been made by the following philanthropic foundations: Atlantic Richfield Foundation, Mary Reynolds Babcock Foundation, Carnegie Corporation of New York, Cleveland Foundation, Denver Foundation, Geraldine R. Dodge Foundation, E.I. du Pont de Nemours & Co., Exxon Education Foundation, Faye McBeath Foundation, Fryst Foundation, George Gund Foundation, Hartford Foundation for Public Giving, William and Flora Hewlett Foundation, Kettering Family Fund, Ittleson Foundation, Esther A. and Joseph Klingenstein Fund, Lilly Endowment, William Penn Foundation, Permanent Charities Fund of Boston, Sid W. Richardson Foundation, Rhode Island Foundation, Rockefeller Foundation, San Francisco Foundation, Shell Companies Foundation, Standard Oil of Ohio, Tinker Foundation.

#### SUBSCRIPTION RATES

#### IN U.S. AND CANADA

One year (42 issues): \$39.94. Two years: \$69.00. Three years: \$99.00. Outside the U.S. and Canada: \$56.44 per year for surface mail and \$85.94 per year for airmail. Send subscription correspondence to: Education Week, P.O. Box 1939, Marion, Ohio 43305.

Back issues are available at \$2.00 each (first class postage pre-paid). Send order to: Back Issues, Education Week, Suite 775, 1255 23rd Street, N.W., Washington, D.C. 20037.

# THE WEEK

## FEDERAL

### O.C.R. To Select Compliance-Review Sites Randomly

The Education Department's office for civil rights is conducting an experiment to determine whether it should randomly select schools and colleges for reviews of their compliance with laws prohibiting bias on the basis of race, sex, age, and handicap, the department announced last month.

Under current policy, the civil-rights office selects sites for such compliance reviews largely on the basis of survey data and on information provided by complainants, special-interest groups, the media, and the general public. The O.C.R. was criticized by civil-rights and education groups last fall for delaying its administration of the two biennial surveys of schools and school districts that it has traditionally used in the selection of compliance-review sites. (See *Education Week*, Sept. 12, 1984.)

In O.C.R.'s annual operation plan, published in the Dec. 14 *Federal Register*, the department said that 5 of its 10 regional civil-rights offices will be involved in the experimental program, which it said was designed "to provide greater flexibility in the targeting of institutions and to help validate O.C.R.'s current targeting methods." Offices in three regions will select sites for compliance reviews on a random basis exclusively and offices in two regions will em-

ploy random selection for 50 percent of their selections, the department said.

### Administration Said 'Destroying' Chapter 1 Program

The Children's Defense Fund, calling for Congressional hearings on the federal compensatory-education program, has claimed in a "White Paper" that changes made under the Reagan Administration are "destroying the program."

Basing its findings on telephone interviews with Chapter 1 coordinators in 48 states, the privately funded interest group reported a 15-percent decline between 1979-80 and 1982-83 in the number of students served in the program; a dramatic decrease in parents' involvement; the virtual disappearance of federal oversight, guidance, and technical assistance to states and school districts; and a drastic reduction in state monitoring and guidance in 25 states.

In its paper, C.D.F. attributes the findings to funding cuts and legislative changes enacted at the start of the Reagan Administration. Chapter 1 of the Education Consolidation and Improvement Act of 1981—formerly Title I of the Elementary and Secondary Education Act—is the biggest federal precollegiate education program, funded at \$3 billion for the current school year and \$3.7 billion for the 1985-86 term.

Copies of the report, "An Interim Report on the Implementation of Chapter 1," are available for \$4.75, plus \$1 for postage, from C.D.F., 122

C St. N. W., Washington, D. C. 20001.

### High Court Upholds Psychotherapy as 'Related Service'

The U. S. Supreme Court declined last month to review a federal appeals court's ruling requiring a New Jersey school district to pay for psychotherapy treatments for an emotionally disturbed 11-year-old child.

Without comment, the Court let stand the U. S. Court of Appeals for the Third Circuit's ruling last June in *Piscataway Township Board of Education v. T.G.* (Case No. 84-461). The appeals court held that the therapy provided to the child was part of an individualized education plan that was agreed upon by local education officials and the child's parents and thus was a "related service" under the Education for All Handicapped Children Act, P. L. 94-142. The cost of such services, the court said, must be assumed by the school board.

The school board had asked the Court to review the case in light of its decision last July in *Irving Independent School District v. Rowley*, in which it addressed the scope of "related services" that schools must provide to handicapped children under P. L. 94-142. In that case, the Justices held that a handicapped girl was entitled to catheterization of her bladder because the service did not have to be provided by a physician and because she could not benefit from special education without it. (See *Education Week*, Aug. 22, 1984.)

## NATIONAL

### Librarian of Congress Calls for New Effort To Abolish Illiteracy

Technology is not a threat to the book and may even help revitalize reading in America, Librarian of Congress Daniel J. Boorstin has concluded in a study of the changing role of books in society.

In "Books in Our Future," Mr. Boorstin calls "with cautious enthusiasm" for the enlistment of new technologies to strengthen the national commitment to books and reading. The study, conducted by the Center for the Book in the Library of Congress, was commissioned by the Congress and completed last month by two advisory committees.

Noting that the nation has failed to do everything it should to defeat the "twin menaces" of illiteracy and "aliteracy" (the word coined for the failure to read of those who can read), the commissioned report calls on the federal government and pri-

vate organizations to join in setting a national goal of abolishing illiteracy in the United States by 1989, the bicentennial of the Constitution. In such an endeavor, Mr. Boorstin maintains, "new technologies are new allies" that can encourage new readers and provide useful information services.

"We must use all of our technologies to make the most of our inheritance, to move toward an American Renaissance of the Culture of the Book," the report contends.

To order a copy of the report, which is available for \$2.50, write to the Superintendent of Documents, U. S. Government Printing Office, Washington, D. C. 20402.

### N.E.A. Seeks To Strengthen Parent-School Ties

In an effort to bring parents closer to their children and their schools, the National Education Association this month will launch a "Teacher-Parent Partnership Project" in 12 school districts across the country.

Developed in conjunction with the Home and School Institute, a Washington, D. C.-based group that seeks

to promote positive home-school relationships, the project will aim to stimulate parents' involvement by sending them information about learning activities they can help their children complete at home.

Every Friday, teachers in the 12 school districts will send parents sheets that describe these activities. Helping children organize a "study corner," decide what to watch on television, and prepare a calendar with important family dates are examples of such activities.

"These activities don't duplicate schoolwork; they supplement it by helping children develop learning skills and a sense of responsibility," said Mary Hatwood Futrell, president of N.E.A., at a press conference last month. The initial phase of the project will run for 12 weeks and involve 5,000 parents of 3rd-grade students, said Lyle Hamilton, an N.E.A. spokesman.

### Rockefeller Group Announces Grants For Teacher Travel

The Rockefeller Foundation has established a three-year \$1.5-million fellowship program for high-

# WASHINGTON

## Bell Perceives 'Academic Turnaround' In 50-State Chart of Reform Indicators

By Tom Mirga

WASHINGTON—The Education Department's second annual state-by-state analysis of resources allocated to education and the outcomes they produce indicates the beginning of an "academic turnaround" in the nation, former Secretary of Education Terrel H. Bell said in his final press conference here late last month.

But in releasing the latest version of what has come to be known as his "wall chart," Mr. Bell, sounding more like an economist than an educator, warned that "it is too early to claim an academic recovery." (See *Databank on page 12.*)

### Good News, Bad News

"The good news . . . is that academic performance has generally improved since 1982," he said. Nationally, average scores on the Scholastic Aptitude Test and the American College Testing Program Assessment have gone up over the two-year period, but there has been a wide diversity among the states, Mr. Bell pointed out.

Sixteen states in which the greater number of students take the A.C.T. assessment experienced gains—but five experienced losses and seven experienced no change, he said. Likewise, 16 states in which the S.A.T. predominates experienced improvements, but five experienced losses and one experienced no change. (Washington State was not included in the tabulation because of the small number of students taking either test there.)

"The fact that 32 states improved—and only 10 declined—provides tangible evidence of the academic turnaround that has resulted from the higher standards and expectations we have set for ourselves over the past few years," said Mr. Bell. "But while we are encouraged that national test scores are inching up after 20 years of decline, there is as yet no cause for celebration. We still have a long way to go to recover our losses since the early 1960's."

### Graduation Rates

Mr. Bell also noted that the percentage of students graduating from high school in the states had improved from 1982 to 1983, the latest years for which statistics are available. The national rate for 1983 was 73.9 percent, up about 1 percent from 1982. Graduation rates rose in 42 states and the District of Columbia but dropped in eight others.

At this rate, Mr. Bell acknowledged, the nation will not be able to meet President Reagan's election campaign challenge to educators to raise state graduation rates to 90 percent or better by 1990. At present, only Minnesota and Wisconsin have achieved that goal.

Nor will states be able to meet the President's challenge to regain at least half the losses of the last 20 years on the college-entrance ex-

aminations, he said. Only in the District of Columbia have average scores on the S.A.T. risen again to their level in 1972, the halfway year for test scores between 1963 and 1984.

### Limitations Acknowledged

As he did last year, Mr. Bell acknowledged the limitations inherent in using average scores on the examinations and graduation rates as the only measures of states' educational outcomes. He urged readers of the chart "to look at each state in the full context of its population characteristics" when appraising its performance in meeting education needs.

When asked why the department decided to publish the data despite their limitations, Mr. Bell responded that "it is critical to keep the public interested in our progress in reforming education."

"To the extent that we can keep education before the people, we'll enhance our chances for success," he said. "We heighten public interest when we have a scoreboard."

### Comparisons Accepted

The department's release of the wall chart last year ignited a vigorous debate among educators about the propriety and usefulness of comparison in meeting education needs.

*Continued on Page 14*

## Justice Dept. Asks High Court To Review Equal-Access Case

By James Hertling

WASHINGTON—The Reagan Administration has asked the U. S. Supreme Court to reverse a federal appeals court's ruling barring meetings by a student religious group in a Williamsport, Pa., high school.

In a brief filed with the high court last month, the Justice Department said that the case would test the validity of the new federal Equal Access Act and that it "raises one of the most significant and hotly contested issues in the area of free speech and religion: whether high-school students wishing to meet for purposes of voluntary, student-initiated, and student-directed religious speech must be excluded from all forums within the high school otherwise available to all."

The controversial equal-access law—passed by the Congress last summer to guarantee student religious and political groups the right to meet on school grounds—runs counter to four federal appeals-court decisions; it is currently being questioned by state and local officials

and tested in several new federal cases.

According to the Administration's "friend of the court" brief asking the Justices to hear the students' appeal in *Bender v. Williamsport*, the appellate court erred in its claim that high-school students may be more likely than college students to construe school-sanctioned meetings by a religious group as an endorsement by the school of religion.

The 2-1 majority of the U. S. Court of Appeals for the Third Circuit ruled that a high school, unlike a university, is not a "truly open" forum and that school authorities were within their rights to bar the religious group's meetings rather than risk an unconstitutional entanglement of church and state. (See *Education Week*, Aug. 22, 1984.)

Citing the Congressional report that accompanied the legislation, the Justice Department's brief says the Congress found "that high-school students are mature enough to understand the difference between school accommodation of religion and school endorsement."

In the *Bender* case, the divided circuit court reversed a 1983 ruling by the U. S. District Court for the Western District of Pennsylvania that upheld the right of the student religious group, called *Petros*, to meet in school. *Petros* had brought suit after officials at the Williamsport Area High School had banned its meetings in 1981.

### Unusual Petition

The Justices may decide this month whether to hear the case, according to Samuel E. Ericsson of the Christian Legal Society, who monitors the equal-access issue.

The Court has previously refused to hear appeals of similar circuit-court rulings—*Lubbock Civil Liberties Union v. Lubbock Independent School District* and *Brandon v. Board of Education of Guilford*. Mr. Ericsson said the government's petition for a hearing demonstrates the urgency of a Supreme Court decision on the issue.

### Policy Dilemma Posed

Until the Supreme Court does decide the question, many school districts face a troublesome policy dilemma.

For instance, in the Spring Valley (Tex.) Independent School District near Houston, a high-school senior filed suit in U. S. District Court for the Southern District of Texas in November because the school board denied his Bible-study group permission to meet in school on Tuesday mornings before classes begin.

In *Amidei v. Spring Valley Independent School District*, the student, Anthony Amidei, charges that his group's right to meet is protected under the Equal Access Act. But the school board says it is bound by the Fifth Circuit Court's *Lubbock* decision and thus prohibits the Bible-study group from meeting, according to Mr. Ericsson, who is the student's attorney.

### Legal Advice

Robert B. Luce, legal counsel to the Vermont department of education, has advised superintendents there not to permit student religious groups to meet during curricular or extracurricular periods, despite the

*Continued on Page 11*

## N.E.H. Awards Four Teacher-Training Grants

By Sheppard Ransom

The National Endowment for the Humanities has announced the first grant recipients in its special initiative to improve the quality of teacher preparation in the humanities.

The grants, which totaled about \$450,000, went to four colleges. Officials said they marked a significant change in the priorities of the endowment, which previously provided funds mainly for inservice activities for experienced humanities teachers.

Up to \$2 million has been authorized for distribution in fiscal 1985 under the new initiative.

### Content vs. Methodology

The initiative, "Improving the Preparation of Teachers in the Humanities," was proposed by the N.E.H. chairman, William J. Bennett, last winter. At the time, he said he was convinced that teacher candidates needed to spend more time becoming masters of the subject areas they would teach and less time studying methodology.

There is a "critical national problem" in the training of teachers in the humanities, he said in announcing the new awards late last month. "For far too long, we have trained teachers to know all about *how* to teach and too little about *what* they teach in the humanities."

### Collaborative Programs

The four colleges selected to receive the grant awards will develop or expand broadly based projects that involve collaboration between humanities scholars, teacher educators, teachers, and school administrators. The recipients are:

- The University of Kentucky—a \$142,967 grant to develop a sequence of courses for majors in secondary education who plan to teach social studies or language arts. The program, which will stress the reading of classical works, is a cooperative effort between the university's honors program and the college of

education. The university will also sponsor summer seminars in the humanities for high-school teachers and prospective supervising teachers of students in the program.

- Kenyon College—a \$62,334 grant to expand a program that will develop college-level courses for high schools to be taught jointly by professors and teachers. The college will also develop, with additional support from the U. S. Education Department's Fund for the Improvement of Post-Secondary Education, a teacher-training link with the Bank Street School of Education in New York City in an effort to draw more liberal-arts majors into teaching.

- Middlebury College—a \$72,285 grant to offer a summer humanities institute for teacher educators involved in the preparation of social-studies teachers. The institute, titled "Toward a More Perfect Union: Studies in American Federalism, 1781-1869," will expose the educators to the principal documents and significant commentaries from the Federalist Papers to the writings of de Tocqueville. It will also bring eminent scholars to the campus to lecture.

- University of Virginia—a \$175,000 grant to develop and validate the Virginia Information Test, which is used in the state to measure students' levels of "cultural literacy." The project, headed by E. Donald Hirsch, attempts to define the essential information that is the foundation of cultural literacy and to determine whether possession of this information enhances students' ability to understand texts.

### A 'Special Interest'

The new grant initiative is not a line-item category in the endowment's \$140-million budget but rather an "area of special interest" that "cuts across several program lines," according to Richard Ekman, director of N.E.H.'s division of education programs. The endowment will now make its higher-education

grants "more responsive" to applications that have as their goals "changes in teacher certification and training."

He said the teacher-preparation initiative adds a preservice dimension to the endowment's educational programs. "It is the first time we've done something this deliberate in the area of preservice education," Mr. Ekman said.

### Other Education Efforts

The N.E.H. also funds several grant programs for already established teachers, including summer seminars for secondary-school teachers and humanities institutes for elementary and secondary teachers and principals.

According to Mr. Ekman, about one-third of the education division's \$18-million budget goes to funding elementary- and secondary-education programs, with up to \$4 million of that amount supporting institutes for principals and teachers. About \$3 million is spent annually on summer seminars for secondary-school teachers, he said.

### More Applications Sought

The endowment is seeking more applications from higher-education institutions wishing to develop humanities-education projects. According to Mr. Ekman, a good project would bring together methods courses handled by the education faculty and content courses taught by humanities faculty members. Besides bringing together two different parts of a college or university, projects may also work to establish links between the institution, the schools, and the state education agency, he explained.

For further information about the teacher-preparation initiative or other N.E.H. programs, write or call Richard Ekman, director of Division of Education Programs, National Endowment for the Humanities, 1100 Pennsylvania Ave., N. W., Washington, D. C. 20506, (202) 786-0373.

# State Education Statistics: State Performance Outcomes, Resource Inputs, and Population Characteristics, 1982 and 1984

| STATE             | PERFORMANCE OUTCOMES <sup>1</sup>  |                                                                                |                                    |                                                                                |                                                |                                    |                                                                                |                                    |                                                                                |                                                | RESOURCE INPUTS                                                                  |          |                              |                                                                                                   |             |                             |                                                              |                |                                                                 |                                             | POPULATION CHARACTERISTICS          |                                |                                          |                   |                       |                                  |                                |                                                 |            |            |           |             |            |            |           |           |
|-------------------|------------------------------------|--------------------------------------------------------------------------------|------------------------------------|--------------------------------------------------------------------------------|------------------------------------------------|------------------------------------|--------------------------------------------------------------------------------|------------------------------------|--------------------------------------------------------------------------------|------------------------------------------------|----------------------------------------------------------------------------------|----------|------------------------------|---------------------------------------------------------------------------------------------------|-------------|-----------------------------|--------------------------------------------------------------|----------------|-----------------------------------------------------------------|---------------------------------------------|-------------------------------------|--------------------------------|------------------------------------------|-------------------|-----------------------|----------------------------------|--------------------------------|-------------------------------------------------|------------|------------|-----------|-------------|------------|------------|-----------|-----------|
|                   | ACT<br>(SCORES FOR 28 STATES)      |                                                                                |                                    |                                                                                |                                                | SAT<br>(SCORES FOR 22 STATES)      |                                                                                |                                    |                                                                                |                                                | PRESIDENT'S CHALLENGE:<br>TEST SCORE GAINS TO MEET PRESIDENT'S GOAL <sup>3</sup> |          | GRADUATION RATE <sup>4</sup> | PRESIDENT'S CHALLENGE:<br>GRADUATION RATE GAINS TO MEET PRESIDENT'S 1990 GOAL OF 90% <sup>7</sup> |             | AVERAGE TEACHER SALARY (\$) | PERFORMANCE — BASED TEACHER INCENTIVES IN STATE <sup>8</sup> | PUPILS/TEACHER | PUPILS/ALL STAFF <sup>9</sup><br>(TEACHERS AND OTHER EMPLOYEES) | FEDERAL FUNDS AS PERCENT OF SCHOOL REVENUES | STATE COMP ED PROGRAM <sup>10</sup> | CURRENT EXPENDITURES PER PUPIL | EXPENDITURES AS PCT OF INCOME PER CAPITA | PER CAPITA INCOME | PCT POVERTY AGES 5-17 | MEDIAN YEARS EDUCATION OF ADULTS | MINORITY PERCENT OF ENROLLMENT | HANDICAPPED PERCENT OF ENROLLMENT <sup>11</sup> |            |            |           |             |            |            |           |           |
|                   | 1984 SCORE (RANK OUT OF 28 STATES) | 1984 PCT. OF HS GRADS. TAKING TEST (EST.) <sup>2</sup> (RANK OUT OF 28 STATES) | 1982 SCORE (RANK OUT OF 28 STATES) | 1982 PCT. OF HS GRADS. TAKING TEST (EST.) <sup>2</sup> (RANK OUT OF 28 STATES) | SCORE CHANGE 1982-1984 (RANK OUT OF 28 STATES) | 1984 SCORE (RANK OUT OF 22 STATES) | 1984 PCT. OF HS GRADS. TAKING TEST (EST.) <sup>2</sup> (RANK OUT OF 22 STATES) | 1982 SCORE (RANK OUT OF 22 STATES) | 1982 PCT. OF HS GRADS. TAKING TEST (EST.) <sup>2</sup> (RANK OUT OF 22 STATES) | SCORE CHANGE 1982-1984 (RANK OUT OF 22 STATES) | 1990 ACT                                                                         | 1985 SAT |                              | 1983                                                                                              | 1982        |                             |                                                              |                |                                                                 |                                             |                                     |                                |                                          |                   |                       |                                  |                                |                                                 | 1983       | 1981       | 1984      | 1983        | 1982       | 1983       | 1982      | 1983      |
|                   | (1)                                | (2)                                                                            | (3)                                | (4)                                                                            | (5)                                            | (6)                                | (7)                                                                            | (8)                                | (9)                                                                            | (10)                                           | (11)                                                                             | (12)     | (13)                         | (14)                                                                                              | (15)        | (16)                        | (17)                                                         | (18)           | (19)                                                            | (20)                                        | (21)                                | (22)                           | (23)                                     | (24)              | (25)                  | (26)                             | (27)                           | (28)                                            | (29)       | (30)       | (31)      | (32)        | (33)       | (34)       | (35)      | (36)      |
|                   | ALABAMA                            | 17.4 (25)T                                                                     | 58.7 (18)                          | 17.2 (26)                                                                      | 55.3 (13)                                      | +0.2 (5)T                          | -                                                                              | -                                  | -                                                                              | -                                              | -                                                                                | +0.6     | +0.1                         | -                                                                                                 | -           | 67.4 (43)                   | 67.1 (43)                                                    | +22.6          | 17,948 (37)                                                     | 15,413 (33)                                 | NO                                  | 20.3 (43)                      | 20.7 (42)                                | 11.0 (43)         | 10.4 (43)             | 12.1 (43)                        | 14.9 (43)                      | NO                                              | 2,177 (43) | 2,063 (43) | 23.6 (43) | 23.8 (43)   | 9,242 (43) | 23.1 (43)  | 12.2 (43) | 33.6 (43) |
| ALASKA            | 18.2 (18)                          | 36.7 (26)                                                                      | 18.7 (12)T                         | 31.5 (27)                                                                      | -0.5 (28)                                      | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | +1.4                                                                             | +0.2     | -                            | -                                                                                                 | 77.8 (23)   | 71.0 (38)                   | +12.2                                                        | 34,510 (1)     | 29,000 (1)                                                      | NO                                          | 13.2 (1)                            | 16.0 (8)T                      | 9.4 (17)                                 | 8.1 (2)           | 7.7 (24)              | 7.5 (25)                         | NO                             | 7,325 (1)                                       | 6,429 (1)  | 42.6 (1)   | 38.1 (1)  | 17,194 (1)  | 11.4 (38)  | 12.8 (13)T | 28.4 (18) | 11.3 (18) |
| ARIZONA           | 18.7 (15)T                         | 61.8 (25)                                                                      | 18.7 (12)T                         | 41.2 (25)                                                                      | 0.0 (17)T                                      | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | +0.6                                                                             | +0.1     | -                            | -                                                                                                 | 68.4 (41)   | 72.4 (33)                   | +21.6                                                        | 21,119 (20)    | 17,359 (21)                                                     | YES                                         | 19.5 (37)                           | 19.8 (37)                      | 10.2 (31)                                | 10.1 (33)         | 9.6 (12)T             | 9.3 (15)                         | NO                             | 2,524 (37)                                      | 2,462 (34) | 23.7 (33)  | 24.5 (33) | 10,656 (33) | 15.8 (17)  | 12.7 (4)T  | 33.7 (10) | 10.3 (36) |
| ARKANSAS          | 17.6 (22)T                         | 61.4 (15)                                                                      | 17.7 (28)                          | 36.3 (11)                                                                      | -0.1 (24)T                                     | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | +1.0                                                                             | +0.2     | -                            | -                                                                                                 | 76.2 (29)   | 74.7 (30)                   | +13.8                                                        | 15,310 (23)    | 13,270 (49)                                                     | NO                                          | 18.2 (27)                           | 18.6 (29)                      | 9.8 (29)                                 | 9.9 (29)          | 13.4 (3)              | 13.9 (4)                         | NO                             | 1,971 (50)                                      | 1,841 (50) | 22.0 (44)  | 21.8 (44) | 8,967 (5)   | 22.7 (5)   | 12.2 (42)T | 23.5 (22) | 11.3 (20) |
| CALIFORNIA        | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | 897 (6)T                           | 39.1 (21)                                                                      | 899 (4)                            | 38.4 (20)                                                                      | -2 (20)T                                       | -                                                                                | -        | +0.0                         | +10.0                                                                                             | 75.1 (34)   | 68.9 (39)                   | +14.9                                                        | 23,614 (7)     | 19,648 (10)                                                     | YES                                         | 23.3 (30)                           | 23.1 (30)                      | 8.3 (6)                                  | 10.6 (6)          | 8.8 (18)              | 9.5 (16)                         | YES                            | 2,733 (31)                                      | 2,671 (31) | 20.6 (21)  | 21.2 (21) | 15,257 (6)  | 16.2 (22)  | 12.7 (4)T  | 42.9 (8)  | 8.6 (48)  |
| COLORADO          | 19.7 (5)                           | 70.2 (4)                                                                       | 19.6 (5)                           | 66.8 (4)                                                                       | +0.1 (9)T                                      | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | +0.2                                                                             | +0.0     | -                            | -                                                                                                 | 79.2 (19)   | 76.3 (22)                   | +10.8                                                        | 23,276 (9)     | 17,734 (17)                                                     | YES                                         | 18.4 (30)                           | 18.7 (30)                      | 9.8 (24)                                 | 9.9 (24)          | 4.5 (38)T             | 5.3 (38)T                        | NO                             | 3,171 (18)                                      | 2,914 (18) | 24.8 (29)  | 23.8 (28) | 12,770 (9)  | 10.8 (40)T | 12.8 (13)T | 22.1 (23) | 8.4 (49)  |
| CONNECTICUT       | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | 904 (4)                            | 62.8 (1)                                                                       | 896 (1)                            | 69.1 (1)                                                                       | +8 (5)T                                        | -                                                                                | -        | +41.0                        | +6.8                                                                                              | 77.9 (21)   | 71.2 (27)                   | +12.1                                                        | 21,036 (21)    | 17,440 (20)                                                     | NO                                          | 14.8 (3)                            | 15.0 (3)                       | 13.0 (11)                                | 9.2 (11)          | 4.3 (49)T             | 4.9 (45)T                        | YES                            | 3,436 (6)                                       | 3,189 (6)  | 24.4 (31)  | 22.9 (31) | 14,895 (3)  | 10.4 (44)  | 12.6 (11)T | 17.0 (27) | 13.7 (5)  |
| DELAWARE          | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | 902 (5)                            | 62.2 (2)                                                                       | 897 (2)                            | 69.5 (2)                                                                       | +5 (5)T                                        | -                                                                                | -        | +41.0                        | +6.8                                                                                              | 88.9 (22)   | 81.8 (16)                   | +1.1                                                         | 20,625 (22)    | 18,025 (22)                                                     | NO                                          | 17.5 (22)                           | 17.8 (22)                      | 9.1 (17)                                 | 9.5 (17)          | 8.9 (10)              | 10.4 (12)                        | NO                             | 3,456 (6)                                       | 3,198 (6)  | 27.3 (15)  | 26.8 (15) | 12,665 (10) | 16.6 (20)  | 12.5 (22)T | 28.8 (16) | 16.4 (1)  |
| DIST. OF COLUMBIA | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | 825 (20)                           | 69.9 (18)                                                                      | 821 (21)                           | 53.2 (8)                                                                       | +2 (13)T                                       | -                                                                                | -        | -                            | -                                                                                                 | 58.4 (50)   | 55.8 (50)                   | +31.6                                                        | 25,610 (3)     | 22,883 (2)                                                      | YES                                         | 17.2 (17)                           | 18.5 (26)T                     | 9.1 (8)                                  | 9.8 (10)          | 13.1 (4)              | 13.1 (4)                         | NO                             | 4,260 (5)                                       | 3,792 (5)  | 27.1 (2)   | 25.7 (2)  | 15,744 (2)  | 26.3 (2)   | 12.7 (4)T  | 96.4 (1)  | 8.1 (58)  |
| FLORIDA           | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | 890 (12)                           | 39.5 (20)                                                                      | 889 (21)                           | 37.5 (21)                                                                      | +1 (16)                                        | -                                                                                | -        | +51.0                        | +8.5                                                                                              | 18,275 (35) | 15,565 (32)                 | +24.5                                                        | 18,275 (35)    | 15,565 (32)                                                     | YES                                         | 17.8 (23)                           | 19.9 (38)T                     | 9.2 (13)                                 | 9.5 (13)          | 8.4 (21)              | 8.4 (21)                         | YES                            | 2,680 (33)                                      | 2,528 (33) | 23.1 (36)  | 23.1 (36) | 11,593 (23) | 17.7 (16)  | 12.5 (22)T | 32.2 (13) | 10.6 (30) |
| GEORGIA           | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | 822 (21)                           | 48.2 (12)                                                                      | 825 (20)                           | 49.1 (1)                                                                       | -1 (18)T                                       | -                                                                                | -        | +12.0                        | +2.0                                                                                              | 65.9 (43)   | 61.1 (43)                   | +24.1                                                        | 13,048 (51)    | 15,444 (33)                                                     | NO                                          | 18.6 (33)                           | 18.8 (33)                      | 9.5 (21)                                 | 10.3 (21)         | 9.8 (10)              | 10.7 (11)                        | YES                            | 2,169 (48)                                      | 1,862 (48) | 20.9 (30)  | 19.3 (31) | 10,379 (4)  | 20.5 (9)   | 12.2 (42)T | 34.3 (9)  | 10.4 (35) |
| HAWAII            | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | 869 (16)                           | 48.3 (11)                                                                      | 857 (18)                           | 47.2 (15)                                                                      | +12 (2)                                        | -                                                                                | -        | +52.0                        | +8.7                                                                                              | 82.2 (16)   | 84.2 (16)                   | +7.8                                                         | 24,719 (2)     | 20,993 (16)                                                     | NO                                          | 22.9 (2)                            | 22.7 (2)                       | 10.8 (8)                                 | 11.9 (8)          | 11.7 (8)              | 11.7 (8)                         | NO                             | 3,239 (5)                                       | 2,862 (5)  | 26.7 (2)   | 26.7 (2)  | 12,114 (5)  | 11.7 (37)  | 12.7 (7)   | 75.2 (2)  | 7.9 (51)  |
| IDAHO             | 18.9 (11)                          | 59.2 (15)                                                                      | 18.9 (10)T                         | 55.2 (14)                                                                      | 0.0 (17)T                                      | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | +1.0                                                                             | +0.2     | -                            | -                                                                                                 | 77.9 (22)   | 76.9 (19)                   | +12.1                                                        | 17,685 (39)    | 15,146 (37)                                                     | YES                                         | 20.7 (44)                           | 20.9 (45)                      | 13.3 (30)                                | 13.3 (30)         | 9.1 (25)              | 8.2 (25)                         | NO                             | 2,052 (46)                                      | 1,996 (46) | 21.5 (47)  | 22.1 (47) | 9,555 (43)  | 15.4 (26)  | 12.6 (11)T | 8.2 (40)  | 8.7 (47)  |
| ILLINOIS          | 18.7 (15)T                         | 71.5 (3)                                                                       | 18.6 (16)                          | 67.4 (2)                                                                       | +0.1 (9)T                                      | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | +1.1                                                                             | +0.2     | -                            | -                                                                                                 | 77.1 (26)   | 74.8 (28)                   | +12.9                                                        | 22,972 (11)    | 19,518 (11)                                                     | NO                                          | 18.0 (25)                           | 18.5 (26)                      | 10.4 (33)                                | 11.5 (33)         | 4.9 (42)T             | 4.3 (49)                         | YES                            | 3,100 (19)                                      | 2,936 (19) | 25.0 (26)  | 24.4 (26) | 12,405 (12) | 16.1 (23)  | 12.5 (23)  | 28.6 (17) | 15.9 (4)  |
| INDIANA           | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | 864 (18)                           | 44.7 (18)                                                                      | 860 (17)                           | 47.1 (16)                                                                      | +4 (11)                                        | -                                                                                | -        | +42.0                        | +7.0                                                                                              | 78.3 (40)   | 76.9 (40)                   | +11.7                                                        | 20,347 (16)    | 16,876 (24)                                                     | NO                                          | 19.8 (40)                           | 20.0 (40)                      | 10.1 (34)                                | 10.2 (34)         | 4.3 (49)T             | 4.1 (50)                         | NO                             | 2,614 (38)                                      | 2,306 (38) | 23.0 (37)  | 23.0 (37) | 10,474 (39) | 11.0 (39)  | 12.4 (35)T | 12.0 (36) | 10.5 (34) |
| IOWA              | 19.2 (3)T                          | 58.9 (16)                                                                      | 19.2 (3)T                          | 54.5 (15)                                                                      | -0.1 (24)T                                     | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | +1.8                                                                             | +0.3     | -                            | -                                                                                                 | 88.0 (4)    | 85.8 (3)                    | +2.0                                                         | 19,802 (29)    | 16,100 (27)                                                     | NO                                          | 15.7 (11)                           | 16.5 (11)                      | 7.6 (9)                                  | 8.0 (9)           | 5.1 (32)              | 5.2 (32)                         | NO                             | 3,095 (10)                                      | 2,826 (10) | 28.9 (2)   | 26.6 (2)  | 10,708 (32) | 10.8 (40)T | 12.5 (7)   | 11.4 (47) | 11.4 (47) |
| KANSAS            | 19.2 (3)T                          | 63.5 (9)                                                                       | 19.2 (3)T                          | 60.8 (8)                                                                       | +0.3 (4)                                       | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | +0.8                                                                             | +0.1     | -                            | -                                                                                                 | 82.5 (12)   | 80.9 (11)                   | +7.5                                                         | 18,313 (34)    | 15,250 (36)                                                     | NO                                          | 15.6 (7)                            | 15.7 (7)                       | 9.1 (9)                                  | 9.5 (8)           | 5.2 (35)              | 5.3 (35)                         | NO                             | 3,058 (22)                                      | 2,815 (22) | 25.0 (27)  | 23.8 (27) | 12,247 (13) | 10.7 (43)  | 12.6 (11)T | 12.7 (32) | 10.6 (31) |
| KENTUCKY          | 17.9 (19)T                         | 62.0 (12)                                                                      | 17.5 (23)T                         | 53.7 (16)                                                                      | +0.4 (13)T                                     | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | +0.5                                                                             | +0.1     | -                            | -                                                                                                 | 68.4 (44)   | 66.9 (44)                   | +21.6                                                        | 18,384 (35)    | 15,580 (31)                                                     | NO                                          | 20.2 (42)                           | 20.8 (44)                      | 10.8 (40)                                | 13.8 (2)          | 14.3 (3)              | 14.3 (3)                         | NO                             | 2,100 (45)                                      | 1,857 (45) | 22.3 (42)  | 20.4 (48) | 9,397 (45)  | 21.2 (7)   | 12.1 (30)T | 9.1 (58)  | 11.5 (14) |
| LOUISIANA         | 16.6 (27)                          | 77.9 (2)                                                                       | 16.7 (27)                          | 68.8 (9)                                                                       | -0.1 (24)T                                     | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | +1.4                                                                             | +0.2     | -                            | -                                                                                                 | 37.2 (51)   | 44.0 (48)                   | +32.8                                                        | 18,416 (16)    | 16,900 (15)                                                     | NO                                          | 18.4 (48)                           | 19.6 (48)                      | 9.3 (35)                                 | 9.3 (35)          | 9.5 (36)              | 9.6 (36)                         | YES                            | 2,739 (31)                                      | 2,829 (31) | 26.7 (2)   | 28.1 (2)  | 10,270 (3)  | 23.1 (37)  | 12.2 (4)T  | 45.4 (2)  | 10.9 (28) |
| MAINE             | -                                  | -                                                                              | -                                  | -                                                                              | -                                              | 892 (11)                           | 47.5 (15)                                                                      | 890 (8)                            | 46.4 (14)                                                                      | +1 (12)T                                       | -                                                                                | -        | +39.0                        | +6.5                                                                                              | 76.7 (27)   | 72.1 (34)                   | +13.3                                                        | 16,268 (47)    | 15,994 (46)                                                     | YES                                         | 19.5 (38)                           | 18.0 (40)                      | 11.0 (43)                                | 10.7 (43)         | 7.5 (26)              | 7.3 (26)                         | NO                             | 2, <                                            |            |            |           |             |            |            |           |           |

## Bell Claims 'Academic Turnaround'

Continued from Page 10

paring the states with each other with respect to educational progress. In general, however, educators now accept the inevitability of such comparisons and are taking steps to ensure that they are valid and meaningful.

Last November, for example, the Council of Chief State School Officers voted to reverse a longstanding policy and called for regular comparisons of the states' educational progress and the development of national achievement tests. The group also voted to establish a center to coordinate nationwide assessment activities. (See *Education Week*, Nov. 21, 1984.)

A few weeks prior to the C.C.S.S.O. vote, the policy committee of the National Assessment of Educational

Progress voted to allow states and localities on a voluntary basis to compare the educational progress of their students with those in other states and localities. Currently, the N.A.E.P., a Congressionally mandated program that regularly assesses the educational progress of 9-, 13-, and 17-year-olds, provides only a regional breakdown of test scores in comparison to national averages.

The Education Department is also attempting to sustain the current wave of education reform by providing the public with a means of assessing progress in the nation's schools. Several divisions of the department are in the final stages of preparing an "educational indicators" publication intended to focus on educational progress on the local, state, national, and international levels. (See *Education Week*, Oct. 17, 1984.)

### FOOTNOTES FOR CHART ON PAGE 12

- States appear in one of two test groups—that of the American College Test (ACT) or the Scholastic Aptitude Test (SAT)—depending upon which test is taken by most college-bound high school students in the State, except for Washington State. Washington State is not included because fewer than 20 percent of its high school students took either the ACT or SAT.
- Explanation of rankings, where "T" designates a tie:  
Column 1.....From highest (1) to lowest (28) ACT score  
Column 2.....From highest (1) to lowest (28) percentage  
Column 3.....From highest (1) to lowest (28) ACT score  
Column 4.....From highest (1) to lowest (28) percentage  
Column 5.....From largest increase (1) to largest decrease (28) in scores between 1982 and 1984  
Column 6.....From highest (1) to lowest (22) SAT score  
Column 7.....From highest (1) to lowest (22) percentage  
Column 8.....From highest (1) to lowest (22) SAT score  
Column 9.....From highest (1) to lowest (22) percentage  
Column 10.....From largest increase (1) to largest decrease (22) in scores between 1982 and 1984  
Column 15 & 16.....From highest (1) to lowest (51) graduation rate  
Column 18 & 19.....From highest (1) to lowest (51) salary  
Column 21 & 22.....From smallest (1) to largest (51) class size  
Column 23 & 24.....From smallest (1) to largest (51) ratio  
Column 25 & 26.....From highest (1) to lowest (51) percentage  
Column 28 & 29.....From highest (1) to lowest (51) expenditure  
Column 30 & 31.....From highest (1) to lowest (51) percentage  
Column 32.....From highest (1) to lowest (51) income  
Column 33.....From highest (1) to lowest (51) percentage  
Column 34.....From highest (1) to lowest (51) years  
Column 35.....From highest (1) to lowest (51) percentage  
Column 36.....From highest (1) to lowest (51) percentage
- The 1984 estimated percentage of high school graduates taking the ACT or SAT was calculated by dividing the number of 1984 ACT or SAT test takers by the number of 1983 public and 1980 private high school graduates. The number of 1984 high school graduates was not available.
- The 1982 estimated percentage of high school graduates taking the ACT or SAT was calculated by dividing the number of 1982 ACT or SAT test takers by the number of 1982 public and 1980 private high school graduates.
- The President's 1990 test score challenge is to regain at least half the test score losses since the 1960's by 1990. Since the national 1972 SAT score is about halfway between national SAT scores in 1963 and 1984, 1972 test scores were used as the 1990 test score improvement goal. The 1985 test score improvement goal is the annual amount needed to realize the 1990 goal.
- Graduation rates are for public schools only because data on private high school graduates were not available. Graduation rate was calculated by dividing the number of public high school graduates by the public ninth grade enrollment four years earlier. Graduation rates are affected by population migration and students getting GEDs. However, information to adjust graduation rates for these factors is not currently available.
- The President's graduation rate goal is 90 percent, from which was subtracted the 1983 graduation rate.
- "Performance-based teacher incentives" includes master teacher, career ladder, and/or merit pay initiatives enacted or approved by States, including State authorized locally developed and piloted programs, as of October 1984.
- Includes all professional and nonprofessional building and district level employees; does not include personnel for contracted services (because this information is not available) or State-level education personnel.
- Includes all programs where the State allocates funds to school districts for the provision of services to special needs populations. Kentucky's program is to begin in the 1985-86 school year. In Pennsylvania, the program is to begin January 1985.
- Includes all handicapped students counted under both P.L. 94-142 and P.L. 89-313.
- D.C. has recovered its SAT losses since 1972. (See footnote 5 for explanation of 1990 & 1985 test scores challenges).
- This State has met the President's 1990 graduation rate (90%) challenge.

#### YEAR AND SOURCES OF DATA, BY COLUMN:

- Column 1.....Individual State Education Agencies
- Column 2.....Individual State Education Agencies; NCES, Digest of Education Statistics, 1983-84
- Column 3.....Individual State Education Agencies
- Column 4.....Individual State Education Agencies; NCES, Public Elementary and Secondary Education in the United States, 1981-82: A Statistical Compendium; NCES, Digest of Education Statistics, 1983-84
- Column 5.....The College Board
- Column 6.....The College Board; Unpublished Data; Individual State Education Agencies; NCES, Digest of Education Statistics, 1983-84
- Column 7.....The College Board
- Column 8.....The College Board; NCES, Public Elementary and Secondary Education in the United States, 1981-82: A Statistical Compendium; NCES, Digest of Education Statistics, 1983-84
- Column 9.....Individual State Education Agencies; NCES, Statistics of Public Elementary and Secondary School Systems, Fall 1979
- Column 10.....NCES, Public Elementary and Secondary Education in the United States, 1981-82: A Statistical Compendium; NCES, Statistics of Public Elementary and Secondary School Systems, Fall 1978
- Column 11.....Individual State Education Agencies
- Column 12.....NCES, Estimates of Local Public School System Finances, 1980-81
- Column 13.....Individual State Education Agencies
- Column 14.....NCES, Unpublished Data; NCES, Preliminary Unpublished Data
- Column 15.....NCES, Digest of Education Statistics, 1983-84
- Column 16.....NCES, Unpublished Data; NCES, Preliminary Unpublished Data
- Column 17.....NCES, Digest of Education Statistics, 1983-84
- Column 18.....NCES, Unpublished Data
- Column 19.....NCES, Public Elementary and Secondary Education in the United States, 1981-82: A Statistical Compendium
- Column 20.....Winslow, H.R., and Peterson, S.M., "State Initiatives for Special Needs Populations," Bay Area Research Group, Palo Alto, SC, 1981; Individual State Education Agencies
- Column 21.....NCES, Unpublished Data
- Column 22.....NCES, The Condition of Education, 1984
- Column 23.....NCES, Unpublished Data; U.S. Bureau of Economic Analysis, Survey of Current Business, August 1984
- Column 24.....NCES, The Condition of Education, 1984; U.S. Bureau of Economic Analysis, Survey of Current Business, August 1984
- Column 25.....U.S. Bureau of Economic Analysis, Survey of Current Business, August 1984
- Column 26.....U.S. Bureau of Economic Analysis, Survey of Current Business, August 1984
- Column 27.....U.S. Bureau of Economic Analysis, Survey of Current Business, August 1984
- Column 28.....U.S. Bureau of Economic Analysis, Survey of Current Business, August 1984
- Column 29.....U.S. Bureau of Economic Analysis, Survey of Current Business, August 1984
- Column 30.....U.S. Bureau of Economic Analysis, Survey of Current Business, August 1984
- Column 31.....U.S. Bureau of Economic Analysis, Survey of Current Business, August 1984
- Column 32.....U.S. Bureau of Economic Analysis, Survey of Current Business, August 1984
- Column 33.....U.S. Bureau of Economic Analysis, Survey of Current Business, August 1984
- Column 34.....U.S. Bureau of Economic Analysis, Survey of Current Business, August 1984
- Column 35.....U.S. Bureau of Economic Analysis, Survey of Current Business, August 1984
- Column 36.....U.S. Department of Education, Office of Special Education and Rehabilitative Services; NCES, Preliminary Unpublished Data

## N.Y. Court Rejects Malpractice Theory

Continued from Page 1

But lawyers who have watched or been involved in the New York cases say the court's willingness to concede medical malpractice in the highly prescriptive realm of special education marks a narrow distinction between the two concepts that other cases are likely to test again. And they note that the prescriptive nature of regulations in the current school-reform movement could pave the way for suits arguing that schools did not carry out reform requirements. (See accompanying story on this page.)

### Claim Rejected

In the first New York case, *Torres v. Little Flower Children's Services*, the New York Court of Appeals rejected, by a 4-3 decision, the claim of a Spanish-speaking student that he was illiterate because he had been misdiagnosed as retarded while in the care of a city agency. The plaintiff sought more than \$2 million in damages from the city's social-services department and the institu-

tion in which he had lived as a young child.

Lawyers for Mr. Torres brought their claim on the grounds that the city agencies had failed to carry out their statutory requirement to provide him with an appropriate education. They did not charge the agency with educational malpractice. But lawyers for the city introduced the concept, contending that the plaintiffs' charge amounted to an unprovable claim of educational malpractice.

### Lower Court's Decision Upheld

Upholding a lower court's decision, the high court said that previous state-court rulings agree that educational malpractice is not grounds for a lawsuit, holding that as a matter of public policy "the courts would not second-guess the professional judgments of public-school educators and administrators in selecting programs for particular students."

However, in the second case, *Snow v. The State of New York*, in which a deaf child was improperly

placed in a class for the retarded, the high court affirmed a lower court's ruling that the claim was based on medical, rather than educational, malpractice. The plaintiff, Donald Snow, was awarded \$1.5 million.

The *Snow* case will not be appealed, but lawyers for Mr. Torres said last week that they were weighing an appeal to the U. S. Supreme Court on due-process grounds.

### Abandoned Child

Frank Torres, now 27, was abandoned by his mother when he was seven years old, court records indicate. The New York City Department of Social Services assumed responsibility for his care and placed him with the Little Flower Children's Services, a child-care agency.

The agency agreed to provide him with basic care and education as needed. When Mr. Torres came to Little Flower, he was fluent in Spanish but spoke no English. He was enrolled in a public school operated by the New York City Board of Education on the agency's grounds.

According to Marcia Lowry, the

## Educational Malpractice: No Judicial Backers Yet

The two cases recently decided by the New York Court of Appeals, *Torres v. Little Flower Children's Services* and *Snow v. The State of New York*, are simply the latest in a string of lawsuits since the early 1970's that focus on the controversial issue of educational malpractice.

No lawsuit brought on such grounds has ever been won at the appellate level, authorities note, although in several states such cases have gone to the state's highest court.

The courts have consistently chosen not to become involved in evaluating educational practices. To do so, said New York's highest court in one precedent-setting case, *Donohue v. Copiague Union Free School District*, "would constitute blatant interference with the responsibility for the administration of the public-school system lodged by the Constitution and statute in school administrative agencies."

### Public-Policy Basis

The courts have generally shied away from trying to rule on the nature of schooling on several grounds, according to Julie Underwood O'Hara, assistant professor of education law at the University of North Dakota.

The first, she said, is "the absence of a workable rule of care. In essence, the courts are saying, we don't really know what good teachers are supposed to do." The second is "an inherent uncertainty in the cause of why the child didn't learn." And the third is that "many courts have said that to find in favor of educational malpractice would put an unfair financial burden on the schools."

Particularly in the area of special education, Ms. O'Hara said, the courts have ruled that students and their parents have access to a specific administrative recourse to remedy any educational problems, and thus the problems should not be the jurisdiction of the court.

Experts point out that the broad educational-malpractice suits—

such as the 1976 case *Peter W. v. The San Francisco Unified School District*, one of the most widely publicized—dealt with the failure of presumably ordinary students to learn, a phenomenon that made them much more difficult to litigate. The cases that may eventually force the courts to change their stance, they say, are those based on the misdiagnosis of special-education students, particularly since the implementation of P. L. 94-142, the Education for All Handicapped Children Act of 1975, which spells out specific state and federal procedures.

### 'Peter W.'

The case of *Peter W.*, which brought the issue of educational malpractice before the general public, was based on the plaintiff's allegation that he was passed from grade to grade but graduated without being taught to read beyond a 5th-grade level.

In that case, a California appellate court ruled that "the achievement of literacy in schools or its failure is influenced by a host of factors which affect the pupil subjectively from outside the formal teaching process, and beyond the control of its ministers. They may be physical, neurological, emotional, cultural, environmental; they may be present but not perceived, recognized but not identified."

### 'Leery of Awarding Damages'

"Courts are very leery of awarding damages in educational-negligence cases simply because of the complex factors in teaching and learning," said Martha McCarthy, president of the National Organization on Legal Problems of Education. The courts have ruled that it is too difficult to determine what "exact duty was breached," she said.

### Precedent Setting

Two other significant educational-malpractice cases, both of which were ruled on by the New York Court of Appeals in 1979, were *Donohue* and *Hoffman v. Board of Education*.

In *Donohue*, as in *Peter W.*, a student sued his school district because he graduated from high school unable to read. He alleged that school officials failed to evaluate his mental ability or take adequate remedial measures to deal with his specific learning disability.

The court did not rule on the facts, but said that as a matter of public policy, the court should not entertain such claims.

The *Hoffman* case, decided shortly after *Donohue*, involved a student with a severe hearing defect. He was mistakenly diagnosed at the age of 5 as retarded. The school psychologist's recommendation for retesting within the next two years was ignored, and as a result, the student was taught in a class for retarded children.

However, when Mr. Hoffman graduated from high school, he was required to be retested in order to be eligible for Social Security benefits. He scored over 100 and consequently became ineligible to remain in an occupational-training program for the retarded.

### Damages Awarded, Overturned

The *Hoffman* suit claimed that due to a school misdiagnosis, the student was both uneducated and unable to remain in the occupational-training program. Both the trial and appellate courts ruled in his favor and the appellate court awarded him \$500,000 in damages, saying the case turned on a specific breach of duty—the failure to retest.

However, the state's highest court dismissed the case, saying "the courts of this state may not substitute their judgment, or the judgment of a jury, for the professional judgment of educators and government officials actually engaged in the complex and often delicate process of educating the many thousands of children in our schools."

"The courts have pretty much said that schools can't be held accountable for insuring that all students with varying abilities to learn attain a specified reading ability before high-school graduation," Ms.